

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**BERKSHIRE HEALTHCARE
SYSTEMS, INC.,**

Plaintiff,

v.

ROYAL & SUN ALLIANCE,

Defendant.

CIVIL ACTION NO. 05-CV-30031-KPN

JOINT REPORT TO COURT CONCERNING SETTLEMENT

Pursuant to the Court's Order dated May 27, 2005, Plaintiff Berkshire Healthcare Systems, Inc. and Defendant Security Insurance Company of Hartford (d/b/a Royal & Sun Alliance) report to the Court that the parties have reached a settlement of their respective claims in this litigation. The parties are in the process of obtaining signatures on an agreed settlement agreement and expect to be filing a Stipulation of Dismissal with prejudice and without costs shortly.

Dated: June 8, 2005

**BERKSHIRE HEALTHCARE
SYSTEMS, INC.,
Plaintiff**

**SECURITY INSURANCE
COMPANY OF HARTFORD
Defendant**

By its attorney,

By its attorney,

/s/ Lucy Prashker
Lucy Prashker (BBO# 405580)
CAIN HIBBARD MYERS & COOK, PC
Attorney for the Plaintiff
309 Main Street
Great Barrington, MA 01230
(413) 528-4771

/s/ Kathleen M. Colbert
Kathleen M. Colbert, BBO #561174
WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP
155 Federal Street
Boston, MA 02110
(617) 422-5300